

THE
DOE RUN
COMPANY

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ST. LOUIS, MO 63146
FAX 314-453-7177

WALTER W. NOWOTNY, JR.
VICE PRESIDENT LAW AND
ASSISTANT SECRETARY
314-453-7150

December 22, 1999

Site: Herculaneum
ID# MOB006266323
Break: 1.0
Other: 12-22-99
A717

VIA FACSIMILE

Mr. Anthony Petruska
EPA

Mr. Dave Mosby
SUPERFUND

Re: Expanded Site Investigation at Herculaneum MO

Gentlemen:

The purpose of this letter is to address again the matter of proceeding with an Expanded Site Investigation (ESI). We at Doe Run sincerely believe that conducting an ESI while an AOC is being developed and is expected to be executed by February 1, 1999 is both unnecessary and counter productive.

At this point in time it is reasonable to assume that an AOC will be executed which will address all the environmental issues that would be addressed through the ESI process. Because it is expected an AOC will be executed in less than six weeks, not only will the ESI process be unnecessary but during this six weeks it will divert resources from the task at hand, which is finalizing a statement of work for the AOC.

Certainly, once an AOC is signed there would be no further need for the ESI. If we are mistaken on this point that would put into serious question the advisability of an AOC, for surely it is intended that the AOC would be addressing all the potential issues concerning the smelter that would be addressed under CERCLA. If not, then we suggest the entire process should go through the more deliberate ESI, listing, RIFS and remedial action steps.

We understood the agency did not want to go through this more measured process but accelerate addressing the issues. We are in agreement with that accelerated process but have serious reservations if whatever is done in the accelerated process could become undone if the regular process proceeds.

Therefore we ask for serious reconsideration of this issue and if necessary a policy level meeting, as we have understood that the policy direction of EPA, and DNR, was for voluntary actions.

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SUPERFUND RECORDS

DEC-22-1999 16:40
DEC-22-99 WED 2:59 PM

DNR HAZARDOUS WASTE
DVE RVR

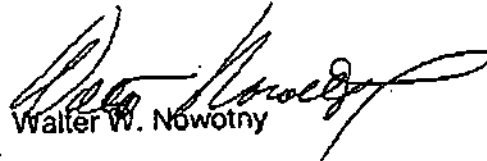
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We also ask that contact in the community for the sampling program which was to be initiated next week be postponed until this can be discussed.

We look forward to your response.

Yours very truly,



Walter W. Nowotny

c.c. Art Sprattin EPA
Julie Murray EPA
Carol Long EPA
John Young DNR
Valerie Wilder DNR
Shelley Woods AGO
J. Lanzafame
D. Vornberg

WWN/mit

FAX

Date

12/22/99

Number of pages including cover sheet

2

TO: Valerie Wilder
mDNR-HWP

Phone

Fax Phone 573-751-7869

CC:

FROM:

James M. Lanzafame

The Doe Run Company -
Smelting Division

881 Main Street

Herculaneum, Missouri
63048

Phone

314-933-3143

Fax Phone

314-933-3150

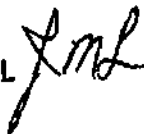
REMARKS:

☐ Urgent☒ For your review☐ Reply ASAP☐ Please Comment

Valerie,

Follow up to our conversation.

JML



THE
DOE RUN
COMPANY
SMELTING DIVISION

James M. Lanza fame
Environmental Manager

November 9, 1999

Ms. Valerie Wilder
Missouri Department of Natural Resources
Hazardous Waste Program
P. O. Box 176
Jefferson City, Missouri 65102-0176

Dear Ms. Wilder,

This letter is being sent as a follow up to our conversation of December 20, 1999 regarding your request for additional information concerning the Herculanum facility. As I mentioned in our discussion, it is of interest that the same types of information that you have requested will be coming in the future. The data will be developed in cooperation and with oversight from your department, as well as others, as part of an agreed upon scope of work, which is presently being discussed and drafted. I believe all parties are presently committed to having a signed agreed upon "vehicle" in place by February 1, 2000.

Therefore, it would seem that your effort, as well as ours, would be both premature, and in several instances redundant, and a potential waste of resources to proceed with such an effort at this time as some of the planned scope of work activities may indicate different avenues of study. Also, your request could conceivably be incorporated into the scope of work as well through your representative who has been involved with the scope of work development from the beginning.

I would be very interested in hearing back from you concerning your immediate plans as soon as possible as most of our management as well as myself will be unavailable after December 23, 1999 until sometime after January 3, 2000 due to the holidays.

Thank you for taking the time for hearing and considering our alternative. You may reach me at 636-933-3143.

Sincerely,

James M. Lanza fame

James M. Lanza fame
Environmental Manager